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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,394	04/27/2001	Michael Wayne Brown	AUS920010106US1	1339

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EXAMINER

CHUONG, TRUC T

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/844,394

Applicant(s)

BROWN ET AL.

Examiner

Truc T. Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 15-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 15-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

AT

## DETAILED ACTION

This communication is responsive the Amendment, filed 07/20/05.

Claims 1-11 and 15-37 are pending in this application. In the Amendment, claims 1, 17, 23, 24, 26, 29, 32, and 35 are independent claims, and claims 1, 10, 17, 23, 24, 26, 29, 32, and 35 are amended, and claims 12-14 are cancelled. This action is made final.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9, 15-16, 18-22, 25-26, 28, 30-32, and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over England (U.S. Patent No. 6,144,991).

As to claim 1, England teaches a method for obtaining assistance in a search for information, on a data processing system, the information concerning a subject area, the method comprising the steps of:

requesting an interactive expertise session (e.g., col. 10 lines 35-52, col. 11 line 65-col. 12 line 27, and figs. 6-9), wherein the request for the interactive expertise session is received from a live help selection option located on a browser graphical user interface (the client sends a message to the guide asking for help/information from the guide, e.g., col. 10 lines 35-52, col. 11 line 65-col. 12 line 27, and figs. 6-9);

responsive to the request for the interactive expertise session (e.g., col. 10 lines 35-52, col. 11 line 65-col. 12 line 27, and figs. 6-9), providing a list of expert web servers having experts registered in a given subject matter as specified by a user initiating the request (although, England teaches that the user can communicate with more than one servers [e.g., col. 15 lines 15-17], and the help topics requested from the client can be very in different fields, which could be handle by different experts located in different places [e.g., col. 14 lines 1-55, and fig. 10], England does not clearly shows that there is a list of registered experts from different web servers to handle the requests; however, it is well known and would have been obvious to have more than one experts located in different places/servers to speed up and increase the efficiency of the online helping processes), an electronic page related to the subject area and a communication interface (e.g., col. 12 lines 28-65, fig. 9);

responsive to selecting at least one of the expert web servers by the user, determining availability of the experts registered with the selected at least one expert web server (England teaches that the user can communicate with more than one servers [e.g., col. 15 lines 15-17], and the help topics requested from the client can be very in different fields, which could be handle by different experts located in different places [e.g., col. 14 lines 1-55, and fig. 10], England does not clearly shows that there is a list of registered experts from different web servers to handle the requests; however, it is well known and would have been obvious to have more than one experts located in different places/servers to speed up and increase the efficiency of the online helping processes); and

presenting interactive expertise related to the subject area (e.g., col. 12 lines 28-65, fig. 9), wherein a first portion of the interactive expertise is presented upon the communication

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interface and a second portion of the interactive expertise is presented upon the electronic page display (e.g., col. 13 lines 1-43, and figs. 9-11), wherein the first portion of the interactive expertise presented upon the communication interface comprises a communication between a requestor of the interactive expertise and a supplier of the interactive expertise (a chat communication between the client and guide, e.g., col. 12 lines 28-65, and figs. 9-11) and the second portion of the interactive expertise presented upon the electronic page display comprises at least one information page related to the subject area as determined by the supplier (the guide will provides the related web page, which is related to the asking help topic from the client, back to the client's GUI, e.g., col. 12 line 28-col. 13 line 31, and England also teaches that the invention can be used in different fields such as: Sales and Marketing, Education, Broadcast, Guide Tour, etc., col. 14 lines 1-50).

As to claim 2, England teaches the method as recited in claim 1, wherein the at least one information page is also presented to the supplier of the interactive expertise (e.g., both the client and guide can view the same section/webpage on their GUIs simultaneously, col. 13 lines 14-22, and figs. 9-11).

As to claim 3, England teaches the method as recited in claim 2, wherein the communication between the requestor of the interactive expertise and the supplier of the interactive expertise is at least one of an electronic mail message and an instant messenger message service (a chat communication between the client and guide, e.g., col. 12 lines 28-65, and figs. 9-11).

As to claim 4, England teaches the method as recited in claim 2, wherein the communication between the requestor of the expertise and a supplier of the expertise is at least

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one of textual communication and audible communication (e.g., the interactive section is able to use text, video, audio, etc., col. 12 lines 53-65, and col. 13 lines 50-67).

As to claim 5, England teaches the method as recited in claim 1, wherein the request for the interactive expertise is from a client machine (the client sends a message to the guide asking for help/information from the guide, e.g., col. 10 lines 35-52, col. 11 line 65-col. 12 line 27, and figs. 6-9).

As to claim 6, England teaches the method as recited in claim 1, wherein generation of the interactive expertise is from a server (the interactive section can be viewed on both the client and guide in a synchronized manner, e.g., col. 12 lines 53-65, and figs. 9-11).

As to claim 7, England teaches the method as recited in claim 6, wherein the server is an expert web server (the server of England can be a expert web server because the guide can help the client to debug the software/code, e.g., col. 16 lines 44-65, and HTTP server, col. 17 line 43-col. 18 line 14).

As to claim 8, England teaches the method as recited in claim 1, wherein the communication interface and the electronic page display are provided on a graphical user interface of the requester and a graphical user interface of the supplier (e.g., both the client and guide can view the same section/webpage on their GUIs simultaneously, col. 13 lines 14-22, and figs. 9-11).

As to claim 9, England teaches the method as recited in claim 1, wherein the second portion of the interactive expertise displayed upon the electronic page display is transmitted from a generator of the interactive expertise (the guide will send to the client the appropriate web page/information, e.g., col. 12 lines 57-65).

As to claim 15, England teaches the method as recited in claim 2, wherein the at least one information page is manipulatable by both the requestor and the supplier (e.g., both the client and guide can view/interact the same section/webpage on their GUIs simultaneously, col. 13 lines 14-22, and figs. 9-11).

As to claim 16, England teaches the method as recited in claim 1, wherein the second portion of the interactive expertise is generated using an Internet search engine (to access a search engine and issue queries; to be used to preview and insure the appropriate Web page or Internet Resource is going to be shown to the client, e.g., col. 13 lines 23-34).

As to claim 18-20, they are similar in scope to claims 5-7 above; therefore, rejected under similar rationale.

As to claim 21, England teaches the method as recited in claim 17, further comprising:  
selecting a second electronic page having a content from the plurality of electronic pages (the guide can select a different web page and send it to the client, e.g., figs. 9-11);

replacing the first electronic page with the second electronic page (the client receives many Web pages from the guide, e.g., col. 10 lines 35-65);

simultaneously displaying the second electronic page and the communication interface on both a client machine and an expert machine (e.g., both the client and guide can view/interact the same section/webpage on their GUIs simultaneously, col. 13 lines 14-22, and figs. 9-11); and

transmitting interactive the expertise based on the subject area, wherein the interactive expertise utilizes both the second electronic page and the communication interface (e.g., col. 13 lines 14-22, and figs. 9-11).

As to claim 22, England teaches a method of claim 18, wherein the interactive expertise is transmitted to the client machine and is displayed on both the client machine and an expert machine (e.g., both the client and guide can view/interact the same section/webpage on their GUIs simultaneously, col. 13 lines 14-22, and figs. 9-11).

As to claim 25, this is a system claim of method claim 22. Note the rejection of claim 22 above.

As to claim 26, this is a system claim of method claim 1. Note the rejection of claim 1 above.

As to claim 30, this is a system claim of method claim 21. Note the rejection of claim 21 above.

As to claim 31, this is a system claim of method claim 22. Note the rejection of claim 22 above.

As to claim 28, it can be rejected under a similar rationale as claim 34 above.

As to claims 32, 36, and 37, they are computer program product claims of method claim 1, 21, and 22. Note the rejections of claims 1, 21, and 22 above respectively.

As to claim 34, England teaches of matching a requested area of expertise within an area of a supplier of the expertise; and generating the interactive expertise based on results of the matching (e.g., fig. 10 shows a list of topics, and the appropriate requested topic will be displayed to the client on the electronic page).



3. Claims 10-11, 17, 23-24, 27, 29, 33, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over England (U.S. Patent No. 6,144,991) in view of Ferguson et al. (U.S. Patent No. 5,819,092).

As to claim 10, although, England teaches the method as recited in claim 1, wherein the system can used in Selling and Marketing (e.g., col. 14 lines 1-14); however, England does not teach of calculating a charge for using the information provided by at least one of the experts which participated in the interactive expertise section. Ferguson clearly shows the fee setting tool allows the developer to assign/calculate payments for different online help services (e.g., col. 4 lines 28-67, and figs. 23-24). It would have been obvious at the time of the invention, a person with ordinary skill in the art would want to have the fee setting of Ferguson in the Live Help Section of England to make profits from helping the users, and the profits can be used in improving the current system or hire more experts to be able to serve the users better.

As to claim 11, England in view of Ferguson teaches the method as recited in claim 10, wherein the requestor of the interact expertise session is charged for the expertise on a predetermined basis which includes at least one of a flat fee basis, a time basis and a commission basis (Ferguson, figs. 23-24).

As to claims 17, 23, they can be rejected under a combination of claim 1 and 10. Note the rejection of claim 1 and 10 above.

As to claim 24, this is a system claim of method claim 17. Note the rejection of claim 17 above.

As to claim 27, this is a system claim of method claim 10. Note the rejection of claim 10 above.

As to claim 29, this is a system claim of method claim 17. Note the rejection of claim 17 above.

As to claim 33, it is a computer program product claim of method claim 10. Note the rejection of claim 10 above.

As to claim 35, it is a computer program product claim of method claim 17. Note the rejection of claim 17.

### *Response to Arguments*

4. Applicant's arguments filed 07/20/05 have been fully considered but they are not persuasive.

Applicants argued and Examiner disagrees with the following reasons:

*a. England does not teach more than one servers and a list of help topics for the user.*

England teaches that the user can communicate with more than one servers (e.g., col. 15 lines 15-17), and the help topics requested from the client can be very in different fields, which could be handle by different experts located in different places (e.g., col. 14 lines 1-55, and fig. 10).

And all other arguments can be argued with the new reference Ferguson et al. (U.S. Patent No. 5,819,092) for the calculating the cost of the interactive expertise section as amended by the applicant. For example, note the rejections of claims 10 or 17 above.

*Conclusion*

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

10/03/05



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